



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: Leslie Johnson

SERIAL NO: 09/848,377

Group Art Unit: 1614

FILED: May 3, 2001

Examiner: Unassigned

FOR: Combination Therapy of Respiratory Diseases Using Antibodies...

DOCKET NO: 469201-540

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449 which are believed to be material to the patentability of the above-identified application. In addition, a supplemental disclosure statement has been filed citing related copending applications.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

X §1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR
- (3) Before the mailing of a first Office Action on the merits. No fee or statement is required.

 §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR
- (2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

- The statement as specified in 37 CFR §1.97(e) set out below; OR
- The fee of \$ 180.00 under 37 CFR §1.17(p).

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____§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR
 - (2) A Notice of Allowance under 37 CFR §1.311;
- BUT filed on or before payment of the Issue Fee; AND
is accompanied by:
- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND
 - (2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,
 - (3) The petition fee of \$130.00 set out in 37 CFR §1.17(i).

____§1.97(e) The undersigned Attorney hereby states that:

- ____ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement;
- or
- ____ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

Serial No: 09/848,377
Filed: May 3, 2001



EXPRESS MAIL CERTIFICATE

Express Mail Label No. EU556037795US

Deposit Date: 26 September 2002

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:

**Commissioner for Patents
Washington, DC 20231**

Alan J. Grant 9/26/02
Alan J. Grant, Esq. Date

Respectfully submitted,

Alan J. Grant

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